

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EDWARD BANKS,

Plaintiff,

- against -

MCGLYNN, HAYS & CO., INC., et al.,

Defendants.  
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**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 12/14/2020

19-CV-5727 (JPO) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This Order addresses the parties' correspondence regarding Defendants' December 11, 2020 letter. (Dkt. 156.)

1. Defendants and Plaintiff must take seriously their obligations to meet and confer. In most instances, that will require talking to each other via telephone. In the interest of efficiency, the Court will address the present issue.

2. A party need not serve a cross-subpoena or notice for a deposition where the "cross" examination will be within the scope of the "direct." If the non-initiating party plans to question a subpoenaed non-party witness outside the scope of the "direct," a cross-subpoena should be served; where the deposition is of a party witness, the "cross" party need only serve a notice.

SO ORDERED.



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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: December 14, 2020  
New York, New York

Copies transmitted this date to all counsel of record.